

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOCKETED

APR 12 1983

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

D. GOTTLIEB & CO.,  
WILLIAMS ELECTRONICS, INC. and  
ROCKWELL INTERNATIONAL CORPORATION,

Defendants.

CIVIL ACTION

NO. 78 C 2246

Hon. John F. Grady

NOTICE UNDER 35 U.S.C. §282

Pursuant to 35 U.S.C. §282 the defendants hereby give notice to plaintiff that they may rely upon the patents and publications listed below as anticipations of the alleged invention of the patent in suit or as showing the state of the art; and that they may rely upon the persons listed below as prior inventors, or as having prior knowledge of or as having previously used or offered for sale the alleged invention of the patent in suit.

This notice is intended to include the patents and publications cited in the Patent Office file history of the patent in suit and in that patent's reissue file history. Additional patents and publications are also included herein.

I. PATENTS AND PUBLICATIONS

A. PATENTS

U.S. PATENTS

<u>Number</u>	<u>Issue Date</u>	<u>Name</u>
2,479,707	8/1949	Durant
2,610,059	9/9/52	Koci
2,618,486	11/18/52	Durant
2,806,701	9/17/57	Durant
2,864,619	12/16/58	Burnside
2,866,506	12/30/58	Hierath et al
3,310,659	3/21/67	Apostle et al
3,375,352	3/26/68	House et al
3,435,120	3/25/69	Cornel et al
3,506,264	4/14/70	Gautraud et al
3,550,939	12/29/70	Walker
3,565,428	2/23/71	Reynolds
3,582,071	6/1/71	Grosvenor et al
3,589,725	6/29/71	Townsend et al
3,606,337	9/20/71	Larsen et al
3,635,477	1/18/72	Ochi
3,643,945	2/22/72	Torrensens et al
3,664,037	5/23/72	Budnik et al

U.S. PATENTS

<u>Number</u>	<u>Issue Date</u>	<u>Name</u>
3,665,407	5/23/72	Negishi
3,688,276	8/29/72	Quinn
3,703,288	11/21/72	Vogel et al
3,715,746	2/6/73	Hatano
3,718,812	2/27/73	Tillman et al
3,720,814	3/13/73	Klein
3,765,105	10/16/73	Montgomery et al
3,785,650	1/15/74	Halliburton
3,785,653	1/15/74	Halliburton
3,809,395	5/ /74	Allison et al
3,821,715	6/28/74	Hoff et al
3,865,368	2/11/75	Grazebrook
3,874,669	4/ /75	Ariano
3,889,956	6/17/75	Castle
3,907,290	9/23/75	Fischer
3,931,966	1/13/76	Walker
3,940,130	2/24/76	Fawcett
3,973,244	8/3/76	Lovercheck et al
3,974,483	8/10/76	Brunson
3,984,813	10/5/76	Chung
4,016,540	4/5/77	Hyatt
4,038,640	7/26/77	Lee et al
4,072,930	2/7/78	Lucero et al
4,087,855	5/2/78	Bennett et al
4,095,795	6/20/78	Saxton

U.S. PATENTS

<u>Number</u>	<u>Issue Date</u>	<u>Name</u>
4,104,726	8/1/78	Fisk et al
4,142,232	2/27/79	Harvey

FOREIGN PATENTS

<u>Number</u>	<u>Issue Date</u>	<u>Country</u>
2,038,597	12/28/70	France
24 17 195	8/26/76	Germany
1,198,320	11/30/67	Great Britain
1,193,768	7/30/68	Great Britain
695,988	5/27/52	Great Britain
17,422/73	5/18/73	Japan
35,464/75	11/26/70	Japan

B. PUBLICATIONS

Bally Alley Service Manual; Bally Manufacturing Corp.; January 1978; all pages.

Popular Electronics; "Altair 8800"; Jan. 1975; pp. 33-38.

Popular Science; "Games Computers Play"; Vol. 197, No. 4; Oct. 1970; p. 44.

Electronics; "Motorola Joins Microprocessor Race with 8-Bit Entry"; Mar. 7, 1974; pp. 29-30.

Intel MCS-40 User's Manual for Logic Designs - MCS-335A-175/15K; Nov. 1974; all pages.

Intel Corp. Inteltec 4 Ref. Manual; all pages.

Intel MCS-4 Microprocessor Computer Set User's Manuals; Feb. 1973, March 1972, and Nov. 1971.

GE Transistor Manual; 7th Edition; all pages.

Motorola; "The Semiconductor Data Library"; 1973; all pages.

Texas Instruments; "The Optoelectronics Data Book for Design Engineers"; 1st Edition; all pages.

Bally Manufacturing Corp.; Bally Circus Queen Manual.

"Technology-Shrinking Costs"; Electronics; pp. 69-102; Oct. 25, 1973.

"N-channel MOS Technology Yields New Generation of Microprocessors"; Electronics; pp. 88-95; April 18, 1974.

Intel advertisement entitled "From Electronic Games to Blood Analyzers"; Electronics; pps. 18-19; Mar. 21, 1974.

Litronix Application Note 3 (4 pages); Nov. 1971.

"Electronics Plays the Pins"; EE/Systems Engineering Today; pp. 37-41; Nov. 1973.

"Microcomputers Muscle In"; Electronics; pp. 63, 64; Mar. 1, 1973.

Special Issue - The Great Takeover; Electronics; Oct. 25, 1973.

Programmable Logic Controllers - Painless Programming to Replace the Relay Bank; G. Lapidus; Control Engineering; April, 1971.

Single-Chip Microprocessors Open Up a New World of Applications; Electronics; April 18, 1974.

Space-Age Pinball; Time; April 1, 1974.

What's a Ram? Don Lancaster; Radio Electronics; Vol. 45, No. 9, pp. 51-3; Sept. 1974.

The Space Age Pinball Machine; The New York Times Magazine; Sept. 15, 1974.

Amusement Equipment Seen Growth; Robert Butler; Electronic News; Dec. 30, 1974.

TILT! The Man Who Gave it to Us; 1975 Play Meter; Interview Article of Williams.

Diverse Industry Users Clamber Aboard the Microprocessor Bandwagon; Electronics; July 11, 1974.

A Whole New Game (Probing the news); Electronics, June 27, 1974.

Play Meter; Vol. 1, No. 7 (June/July, 1975).

Scamp Microprocessor Aims to Replace Mechanical Logic; Electronics; Sept. 18, 1975; Jack H. Morris, Hash Patel & Milt Schwartz, National Semiconductor.

Electronic Calculators; H. Edward Roberts; 1974.

Understanding the Microprocessor is no Trivial Task; END; Nov. 20, 1973; Robert H. Cushman, pp. 42-49.

International Electronics; Oct. 17, 1974.

International Electronics; Oct. 25, 1973.

"Multiplexing of Displays"; Signetics Digital Linear MOS Applications; 1973.

"Microprocessors and Their Applications"; Part 3 - Systems Engineering Today; v. 33, No. 1; Jan. 1974; pp. 75-80.

"Microcomputers - a New Revolution"; Systems Engineering Today; Jan. 1974.

EDN; Nov. 5, 1973.

Systems Engineering Today; Dec. 1973; "Boxing with a Minicomputer".

"Bally Mfg. May License Firm to Make, Sell Games"; Wall Street Journal; Jan. 8, 1980.

Dataquest; Section 2.6.8; "Games"; pp. 1-16; Feb. 18, 1976.

"Computers", Electronics; pp. 90-102; Oct. 25, 1973.

G. Lapidus; "Programmable Logic Controllers - Painless Programming to Replace the Relay Bank"; Control Engineering; pp. 49-60; April 1971.

Rockwell International; "MOS/LSI Application Notes, Parallel Processing System (PPS)", pp. 1-25; April 1973.

L. Stern; "Microcomputers - Preparations for an Explosion!"; Motorola Monitor; pp. 4-11; Dec. 1973.

Arthur D. Little, Inc.; "The Potential Impact of Microprocessor Technology"; ADL Impact Services; pp. 1-33; Dec. 1974.

Quantum Science Corp.; "Minicomputers & Microcomputers, The Squeeze Is On"; pp. 79-82, 85-88, 113-14, 140-52; 211-18; May 1, 1974.

"A Whole New Game"; Electronics; pp. 69-70; June 27, 1974.

R. Butler; "Amusement Equipment Seen Growth Area for Devices"; Electronic News; p. 26; Dec. 30, 1974.

G.M. Walker; "Consumer/Commercial Microprocessors Go Public"; Electronics; pp. 92-95; July 11, 1974.

Information and Planning Associates; "Electronic Toys, Games & Amusements"; pp. 60-61; June 1976.

Rockwell International, "Keyboard/Printer Controller Circuit"; Part. No. 10815, pp. 1-14; April 1975.

Dave Nutting Associates; "Bally Brain"; Sept. 26, 1975.

Rockwell International, Data Sheet; "Parallel Processing System (PPS), General Purpose Keyboard and Display (GPKD) Circuit"; Part No. 10788; pp. 1-14; 1973.



National Semiconductor; "MM5725 One Chip Calculator", pp. 1-11; March 1973.

National Semiconductor; "Calculator Learns to Keep Time"; pp. 1-8; Oct. 1974.

Fairchild Semiconductor; The TTL Applications Handbook; pp. 1-5 to 1-6, 3-1 to 3-24, 15-3 to 15-4; Aug. 1973.

Rockwell International, Application Notes; "MOS/LSI Timer-Controller-Sequencer (TCS) Device"; pp. 1-12; April 1972.

Rockwell International, Application Notes; "Programming Manual for Timer-Controller-Sequencer (TCS)", pp. 1-16; March 1972.

Rockwell International, Application Notes; "MOS/LSI Timer-Controller-Sequencer (TCS) Device Evaluation Unit", Part No. A0102NA; pp. 1-6; Dec. 1972.

"Microprocessor Design Series"; Design News; July 22, 1974; Robert Cushman.

## II. PRIOR INVENTION, KNOWLEDGE, USE, SALE AND STATE OF THE ART

1. Activities of Atari, Inc., Sunnyvale, California. Persons having knowledge of the activities of this company include: Stephen Mayer, Larry Emmons, Edward Schleeter, Stephen Bristow, all of whom are employed by Atari, Inc. or Warner Communications and may be contacted through one or the other of those companies. Others who have knowledge of these activities include Joseph Robbins,

Ross Scheer, William O'Donnel, Jr., William O'Donnel, Sr., John Britz, Alvin Gottlieb, Jodie Sperry, Gene Brand, and possibly other present or former employees of the plaintiff or one of its subsidiaries.

B. Activities of Bally Manufacturing, Chicago, Illinois. Persons having knowledge of the activities include Colin Foster, William Engelhardt, Frank Bracha, Jon Britz, Joe Robbins, Ross Scheer and possibly other present or former employees of the plaintiff or one of its subsidiaries.

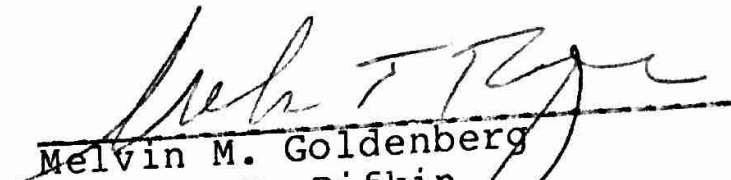
C. Ramtek, Inc., Sunnyvale, California. Ray Holt, Manny Lemas, Charles McEwan, Hal Ivy, Gaman Schultz, Kenneth Agard, and possibly other present or former employees of Ramtek.

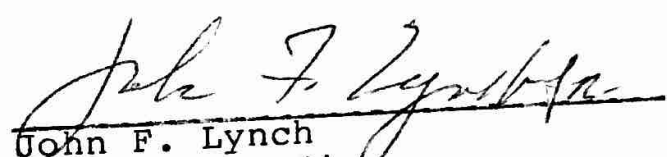
D. National Semiconductor Corporation, Santa Clara, California. Milton Schwartz, Keith Winter, Bernard Kate.

E. United Games, Portland, Oregon. William Guyton, Robert Thomas.

F. Texas Instruments, Inc., Dallas, Texas.

George Bronk.

  
Melvin M. Goldenberg  
William T. Rifkin  
McDougall, Hersh & Scott  
135 South LaSalle Street  
Chicago, Illinois 60603  
(312) 346-0338  
Attorneys for Defendant  
Williams Electronics, Inc.

  
John F. Lynch  
Wayne M. Harding  
Arnold, White & Durkee  
750 Bearing Drive  
Houston, Texas 77057  
(713) 789-7600  
Attorneys for Defendants  
Rockwell International  
and D. Gottlieb & Co.

April 8, 1983